

PTO/SB/30 (09-04)

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# Request for Continued Examination (RCE) Transmittal

Address to:  
Mail Stop RCE  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Application Number	10/042,911
Filing Date	January 9, 2002
First Named Inventor	Kelly, et al
Art Unit	1634
Examiner Name	B. Forman
Attorney Docket Number	2846/1032

This is a Request for Continued Examination (RCE) under 37 CFR 1.114 of the above-identified application. Request for Continued Examination (RCE) practice under 37 CFR 1.114 does not apply to any utility or plant application filed prior to June 8, 1995, or to any design application. See Instruction Sheet for RCEs (not to be submitted to the USPTO) on page 2.

1. **Submission required under 37 CFR 1.114** Note: If the RCE is proper, any previously filed unentered amendments and amendments enclosed with the RCE will be entered in the order in which they were filed unless applicant instructs otherwise. If applicant does not wish to have any previously filed unentered amendment(s) entered, applicant must request non-entry of such amendment(s).

a. ☐ Previously submitted. If a final Office action is outstanding, any amendments filed after the final Office action may be considered as a submission even if this box is not checked.

i. ☐ Consider the arguments in the Appeal Brief or Reply Brief previously filed on \_\_\_\_\_

ii. ☐ Other \_\_\_\_\_

b. ☒ Enclosed

i. ☒ Amendment/Reply

iii. ☐ Information Disclosure Statement (IDS)

ii. ☐ Affidavit(s)/ Declaration(s)

iv. ☐ Other \_\_\_\_\_

## 2. Miscellaneous

a. ☐ Suspension of action on the above-identified application is requested under 37 CFR 1.103(c) for a period of \_\_\_\_\_ months. (Period of suspension shall not exceed 3 months; Fee under 37 CFR 1.17(i) required)

b. ☐ Other \_\_\_\_\_

## 3. Fees

The RCE fee under 37 CFR 1.17(e) is required by 37 CFR 1.114 when the RCE is filed.

a. ☐ The Director is hereby authorized to charge the following fees, or credit any overpayments, to Deposit Account No. \_\_\_\_\_. I have enclosed a duplicate copy of this sheet.

i. ☐ RCE fee required under 37 CFR 1.17(e)

ii. ☐ Extension of time fee (37 CFR 1.136 and 1.17)

iii. ☐ Other \_\_\_\_\_

b. ☐ Check in the amount of \$ \_\_\_\_\_ enclosed

c. ☐ Payment by credit card (Form PTO-2038 enclosed)

**WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.**

## SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT REQUIRED

Signature	<i>Paula Campbell Evans</i>	Date	9/23/04
Name (Print/Type)	Paula Campbell Evans	Registration No.	32,503

## CERTIFICATE OF MAILING OR TRANSMISSION

I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Mail Stop RCE, Commissioner for Patents, P. O. Box 1450, Alexandria, VA 22313-1450 or facsimile transmitted to the U.S. Patent and Trademark Office on the date shown below.

Signature	<i>Melissa Powers</i>	Date	9/23/04
Name (Print/Type)	Melissa Powers		

This collection of information is required by 37 CFR 1.114. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11 and 1.14. This collection is estimated to take 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Mail Stop RCE, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2.



Atty. Docket No.: 2846/1032

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Application of: Kelly  
Serial No.: 10/042,911  
Filed: January 9, 2002  
Entitled: DNA-BRIDGED CARBON  
NANOTUBE ARRAYS

Examiner: B. Forman

Group Art Unit: 1634

Conf. No.: 4527

**CERTIFICATE OF MAILING UNDER 37 C.F.R. § 1.8a**

I hereby certify that this correspondence (and any paper or fee referred to as being enclosed) is being deposited with the United States Post Office as First Class Mail on the date indicated below in an envelope addressed to to Mail Stop: AF, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

Melissa Powers

Name of Person Mailing Paper

Signature of Person Mailing Paper

Mail Stop RCE  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

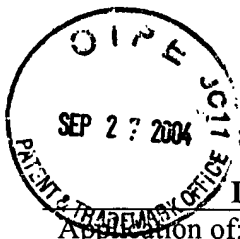
**AMENDMENT AFTER FINAL REJECTION UNDER 37 C.F.R. 1.116**

Sir:

In response to the communication from the Examiner dated May 24, 2004, a final rejection, the Applicants respectfully request that the finality be withdrawn, and following amendments be entered pursuant to 37 C.F.R. §1.116 in the above-identified application.

**Amendments to the Claims** are shown in the "Listing of the Claims" which begins on page 2 of this paper.

**Remarks** begin on page 11 of this paper.



Atty. Docket No.: 2846/1032

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Application of: Kelly, et al  
Serial No.: 10/042,911  
Filed: January 9, 2002  
Titled: DNA-BRIDGED CARBON  
NANOTUBE ARRAYS

Examiner: B. Forman

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Melissa Powers

Name of Person Mailing

Signature of Person Mailing

Mail Stop RCE  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

**TRANSMITTAL LETTER**

Enclosed for filing the above-identified patent application, please find the following documents:

1. Request for Continued Examination (RCE);
2. Amendment after Final Rejection;
3. Copy of the Response to Final Office Action as filed on August 24, 2004; and
4. Return Post Card.

The Commissioner for Patents is hereby authorized to charge any fees to Deposit Account No. 16-0085, Reference 2846/1032. A duplicate of this transmittal letter is enclosed for this purpose.

Respectfully submitted,

Date:

Sept. 23, 2004 

Name: Paula Campbell Evans

Registration No.: 32,503

Customer No.: 29933

Palmer & Dodge LLP

111 Huntington Avenue

Boston, MA 02199-7613

Tel.: (617) 239-0100